

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>In re:</b>	:	
	:	<b>Case No.: 5:22-bk-00590-MJC</b>
<b>Mark Loftus AKA Mark J Loftus, AKA</b>	:	<b>Chapter 13</b>
<b>Mark Joseph Loftus</b>	:	<b>Judge Mark J. Conway</b>
<b>Debtor(s)</b>	:	<b>* * * * *</b>
	:	
<b>Chase Mortgage Holdings, Inc S/B/M to</b>	:	
<b>JPMC Specialty Mortgage LLC</b>	:	
<b>Movant</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>Mark Loftus AKA Mark J Loftus, AKA</b>	:	
<b>Mark Joseph Loftus</b>	:	
<b>Kathleen Loftus</b>	:	
<b>Jack N Zaharopoulos, Trustee</b>	:	
<b>Respondents</b>	:	

**OBJECTION OF CHASE MORTGAGE HOLDINGS, INC  
S/B/M TO JPMC SPECIALTY MORTGAGE LLC TO THE  
CONFIRMATION OF THE PLAN (DOCKET NUMBER 45)**

Chase Mortgage Holdings, Inc S/B/M to JPMC Specialty Mortgage LLC (“Creditor”) by and through its undersigned counsel, objects to the confirmation of the currently proposed plan (“Plan”) filed at Docket Number 45 by Mark Loftus AKA Mark J Loftus, AKA Mark Joseph Loftus (“Debtor”) as follows:

1. Creditor holds a security interest secured by a mortgage lien on Debtor’s property commonly known as 1353 Main Street, Pittston, PA 18640 (“Property”).
2. Creditor has file Proof of Claim Number 11 in the amount of \$45,848.80.
3. Debtor’s Plan proposes to sell the Property by March 31, 2023, however, it does not appear to provide for payment of Creditor’s claim in full.
4. Creditor requests that Debtor amend the Plan to specify that Debtor will obtain a payoff quote from Creditor and/or its successors/assigns in advance of any sale of the Property

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that is good through the date of any such sale, and provide that the subject mortgage held by Creditor and/or its successors/assigns will be paid in full through any such sale.

5. Creditor also requests that the Debtor amend the Plan to specify that any short sale of the Property may not take place without the express written approval of Creditor and/or its successors/assigns.
6. Creditor further requests that the alternative treatment of Creditor's claim, which is set forth in section B(2) of the Plan and states in the event that a sale of the Property is not completed by the sale deadline of March 31, 2023, the Debtor may seek an extension of the sale date or that the Property may be auctioned with reserve, be amended to reflect that an extension may be sought so long as the plan continues to provide for payment Creditor's arrearage claim and ongoing monthly post-petition amounts, and that any reserve price set by auction shall be in an amount sufficient to pay the subject mortgage in full.
7. As it stands Debtor's Plan represents an impermissible modification of Creditor's claim and a violation of 11 U.S.C. §§1322 and 1325.

WHEREFORE, Creditor respectfully requests that the Court deny the confirmation of the Debtor's currently proposed Plan.

Respectfully submitted,

/s/Alyk L. Oflazian

Alyk L. Oflazian, Esquire (312912)  
Adam B. Hall (323867)  
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Attorneys for Creditor  
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<b>Debtor(s)</b>	:	<b>* * * * *</b>
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<b>Chase Mortgage Holdings, Inc S/B/M to</b>	:	
<b>JPMC Specialty Mortgage LLC</b>	:	
<b>Movant</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>Mark Loftus AKA Mark J Loftus, AKA</b>	:	
<b>Mark Joseph Loftus</b>	:	
<b>Kathleen Loftus</b>	:	
<b>Jack N Zaharopoulos, Trustee</b>	:	
<b>Respondents</b>	:	

**CERTIFICATE OF SERVICE**

I certify that on the date of filing, a copy of the foregoing Objection of Chase Mortgage Holdings, Inc S/B/M to JPMC Specialty Mortgage LLC to the Confirmation of the Plan (Docket Number 45) was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

Jack N Zaharopoulos, Chapter 13 Trustee, info@pamd13trustee.com

Joseph M. Blazosek, Attorney for Mark Loftus AKA Mark J Loftus, AKA Mark Joseph Loftus, jblazatty@aol.com

I certify that on the date of filing, a copy of the foregoing document was sent by U.S.

Mail to the following:

Mark Loftus AKA Mark J Loftus, AKA Mark Joseph Loftus and Kathleen Loftus, 1353 Main St, Pittston, PA 18640

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Select Portfolio Servicing, INC, PO Box 65450, Salt Lake City, UT 84165-0450

/s/Alyk L. Oflazian

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